

**United States District Court**  
For the Northern District of California

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8 IN THE UNITED STATES DISTRICT COURT

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10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 JOHN F. CHAMPAGNE and GARY A.  
CHAMPAGNE,

12 Plaintiffs,

No. C 06-05425 JSW

13 v.  
14 CITY AND COUNTY OF SAN FRANCISCO,  
et al.,

15 Defendants.

**ORDER RE PLAINTIFFS'  
OBJECTIONS TO THE REPORT  
AND RECOMMENDATION**

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17 On September 19, 2008, the Court adopted in part and denied in part Magistrate Judge  
18 Elizabeth D. LaPorte's report and recommendation re: denying Defendants' motion for  
19 attorneys' fees for underlying case, denying Plaintiffs' cross-motion for sanctions, and  
20 permitting Defendants to file a Rule 11 motion (the "Report"). Due to Plaintiffs' failure to  
21 submit a chambers copy of their objections to the Report, the Court did not consider their  
22 objections. However, upon review of Plaintiffs' submission, the Court affirms that it ADOPTS  
23 the recommendation and DENIES Plaintiff's cross-motion for sanctions. The Court also  
24 affirms that it REJECTS the recommendation that the Court permit Defendants an opportunity  
25 to file a motion seeking sanctions under Rule 11.

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1           The remainder of the Order dated September 19, 2008 pertaining to Defendants' motion  
2 for attorneys' fees remains in force and the parties shall file their briefs, with the submission of  
3 chambers copies, as ordered in the Court's previous order.

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5           **IT IS SO ORDERED.**

6           Dated: September 22, 2008

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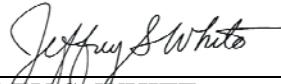
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JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE